

Amendment Dated January 7, 2008
Serial No. 10/657,654

REMARKS

Reconsideration of the rejections set forth in the Office Action dated November 8, 2007, is respectfully requested in view of the Amendments to the claims and the following arguments. By this Amendment, claims 24, 30-31, and 37 have been canceled without prejudice or disclaimer and claims 21, 27, 32, and 35-36 have been amended. Currently, claims 22-23, 25-29, 32-36, and 38 are pending in this application. The indication that claim 31 contains allowable subject matter is noted with appreciation.

Rejection under 35 USC 112

Claim 31 was rejected under 35 USC 112, second paragraph. Specifically, the Examiner indicated that claim 31 inadvertently referred to claim 11, which was canceled in the previous Amendment. Claim 31 refers to "the switching circuitry" and "the optical line interface unit" both of which were introduced in claim 30. Thus, it appears that claim 31 should have referred to claim 30 rather than claim 11.

Applicants have amended independent claim 22 to contain the allowable features of claim 31. In doing so, applicants have amended independent claim 22 to also include the features of intermediate dependent claims 24 and 30. Accordingly, the rejection of claim 31 is believed to be mute in view of the cancellation of that claim.

Rejections under 35 USC 102 and 103

Claims 22-30 and 32-38 were rejected under 35 USC 103 over the Admitted Prior Art in view of Narvaez (U.S. Patent No. 7,164,860), alone or in combination with Kamiya (U.S. Patent Application Publication No. 2002/0090007).¹ Applicants have amended independent claim 22 to include the features that were formerly set forth in dependent claim 31, and thus believe that independent claim 22 and those claims dependent thereon are allowable over the art of record. Similar amendments were made to independent claim 35.

¹ The text of paragraph 5 indicates that claim 31 was also included in the rejection under 35 USC 103 over the admitted prior art in view of Narvaez. However, after this introductory paragraph the Examiner has not treated claim 31 on the merits and, at paragraph 7, indicated that claim 31 contained allowable subject matter. Accordingly, applicants have treated this rejection as not applying to claim 31.

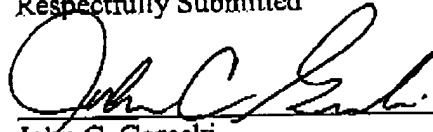
Amendment Dated January 7, 2008
Serial No. 10/657,654

Conclusion

If there are any questions or concerns regarding the amendments or these remarks, the Examiner is cordially invited to telephone the undersigned at the telephone number listed below.

If any fees are due in connection with this filing, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref: NN-16074).

Respectfully Submitted



John C. Gorecki
Registration No. 38,471

Dated: January 7, 2008

John C. Gorecki, Esq.
P.O. Box 553
Carlisle, MA 01741
Tel: (978) 371-3218
Fax: (978) 371-3219
john@gorecki.us